IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1338 OF 2005
WITH
NOTICE OF MOTION NO. 348 OF 2005.

P.Ponraj. ... Petitioner.

V/s.

Municipal Corporation of Greater Mumbai. ... Respondent.

J.B.Mishra for the petitioner.

A.R.Joshi for respondent Nos.1 to 4.

CORAM: V.C.DAGA, J.

DATED: 20th February 2006.

P.C.:

. Heard learned counsel for the parties.

2. The cause of action for this petition does not survive in view of the order dated 16th February, 2006 passed by the Municipal Commissioner. This petition is, thus, liable to be dismissed as infructuous.

3. At this stage, learned counsel appearing for the petitioner submits that there is every possibility that the order dated 16th February,

2006 may not be complied with by the municipal authorities. The learned counsel appearing for respondent Nos.1 to 4 assures this Court that the said order shall be complied with in its true letter and spirit well within two weeks from today. The statement made is taken on record.

4. Petition stands disposed of in terms of this order as infructuous with no order as to costs.

5. In view of disposal of the petition, notice of motion does not survive. Motion is also disposed of as infructuous with no order as to costs.

(V.C.DAGA, J.)